

REMARKS/ARGUMENTS

Favorable reconsideration of this application in light of the following discussion is respectfully requested.

Claims 1, 3, 5-9 and 40-51 are currently pending in the application. No claim amendments are presented, thus no new matter is added.

In the Office Action, Claims 1, 3-5, 7-9 and 40 are rejected under 35 U.S.C. § 103(a) as unpatentable over Okamoto et al. (U.S. Pat. 7,310,823, herein Okamoto) in view of Nakane et al. (U.S. Pat. 6,522,609, herein Nakane) and Nakano et al. (U.S. Pat. 7,373,503, herein Nakano); Claim 6 is rejected under 35 U.S.C. § 103(a) as unpatentable over Okamoto in view of Nakano, Nakane and Ando et al. (U.S. Pat. 7,286,746); and Claims 41-51 are rejected under 35 U.S.C. § 103(a) as unpatentable over Okamoto in view of Nakano, Nakane and Coene et al. (U.S. Pub. 2002/0157055).

Applicant respectfully traverses the above noted rejections under 35 U.S.C. § 103, as Nakano is not available as prior art against the present application.

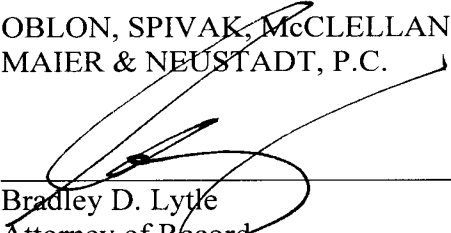
The present application claims priority to Japanese Patent Application No. 2002-336754 filed November 20, 2002. In accordance with 37 C.F.R. § 1.55(a)(4), enclosed please find an English translation of the certified copy of the priority document, along with a statement that the translation of the certified copy is accurate. (A certified copy of this application was previously provided, as acknowledged in the Notice of Acceptance of Application Under 35 U.S.C. § 371 and 37 C.F.R. § 1.495 dated October 28, 2003.) Applicants respectfully submit that the enclosed documents perfect the claim to priority to Japanese Patent Application No. 2002-336754 filed November 20, 2002, under 35 U.S.C. § 119. The filing date of the above noted priority document, antedates the earliest filing date of April 21, 2003 of Nakano. Therefore, Applicant respectfully submits that Nakano does not qualify as prior art with respect to the present application.

As the above noted rejections under 35 U.S.C. § 103(a) each rely on Nakano, Applicant respectfully submits this rejection is traversed as Nakano may not be applied as a basis for supporting an anticipation rejection or a *prima facie* case of obviousness, as Nakano does not qualify as prior art under 35 U.S.C. § 103. Further, as Nakano was first cited in the outstanding Final Office Action, Applicant notes that perfecting priority to the above noted foreign application at this time is proper.

Consequently, for the reasons discussed above, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal allowance. Therefore, a Notice of Allowance is earnestly solicited.

Respectfully submitted,

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